

REMARKS

The above amendment and these remarks are responsive to the Office Action designated FINAL of Examiner James A. Kramer, dated 29 Nov 2005.

Claims 1-7 and 9-17 are in the case, none as yet allowed.

35 U.S.C. 103

Claims 1-7 and 9-17 have been rejected under 35 U.S.C. 103(a) over Maners in view of Virgin et al., and further in view of Cukor et al. Apparently, this rejection refers to US Patents 6,507,826 B1, 6,826,542 B1, and 5,168,444, respectively, hereinafter Maners, Virgin, and Cukor, respectively.

In Response to Arguments, the Examiner responds to applicant's assertion that the combination of Cukor, Maners and Virgin fails to teach that both negative and positive confirmation processes are implemented by an end user who

receives a commodity or service for which he/she is the original requestor, by stating:

"First Examiner notes that independent claim [1] notes that the invoice is 'subject to one of negative confirmation and positive confirmation'. Since the combination is presented provides positive confirmation it clearly teaches subjecting the invoice to one of positive and negative."

The Examiner is correct, and the claim is improperly constructed on the point. Applicants have amended the claims to clarify that the method handles both positive and negative confirmation processes.

The Examiner continues:

"Secondly, Examiner notes that there is nothing in the combination that limits the confirmation from being by the original requester. In fact there is no way to control this feature. If the person from the accounts payable was the original requestor then that person would be the one in charge of the confirmation."

Applicants agree, but only in part. The claim focuses on the original requester who is also the end user as the one in charge of confirmation. Thus, applicants have amended the claims to positively recite that two separate individuals are involved: the accounts payable person (who

is already specifically mentioned in the claims) and a separate individual who is both the original requestor and the end-user.

In the Response to Arguments, the Examiner also makes the point that applicants discuss the references individually at pages 18-20 of the previous amendment, and notes that the record is clear with respect to what each reference teaches individually and what each reference is missing.

Applicants agree that the Examiner has discussed these points, but counter that even the combination of references does not teach the claims taken as a whole, and further assert that a prima facie case has not been made for combining the references.

As the Examiner observes, neither Maners or Virgin contain references to invoice imaging, which is a key requirement; that is, to be able to see a copy of a paper invoice verses one that is electronically generated. While Cukor discusses invoice imaging, it is the bringing together of these two capabilities in a manner which supports, determines, and manages both negative and positive confirmation processing by an individual employee who is both the originator of an invoice for and the end user of a purchased commodity or service, as distinguished from accounts payable personnel, or other personnel who are not the end user of the purchase commodity or service.

Applicants note that none of the references specify that an employee who is the end user of a commodity or service, as distinguished from accounts payable or other personnel, is the one who originates the requisition and confirms the vendor invoice. That the original requisitioner/end user and the accounts payable personnel are different individuals is clearly implied by the following:

"SAP 42 prepares from the requisition a purchase order which is sent via EDI as IDOC PO 87 or as paper purchasing document 86 to vendor 48. Vendor, or supplier, 48 fills the order and sends back an invoice, either electronically as IDOC invoice 89 to SAP 42, or as paper invoice 38 which is received and processed by accounts payable personnel. As is represented by line 436 and block 83, accounts payable personnel 22 process paper invoice information to SAP 42. SAP 42 posts the invoice back to RCW 40 which will then send an e-mail notice to user 46 that the invoice will be paid either with (positive) or without (negative) confirmation."

[Applicants specification, page 17, lines 5ff.]

Applicants note, as the Examiner observes, that Virgin only teaches positive confirmation processing. The Examiner cites no reference re negative processing, but argues that the teaching of positive confirmation processing meets the the specific claim limitation of "one of". As noted above, applicants agree, and have amended the claims accordingly.

Applicants claims also provide for specifying to the end user that invoice is to be subject selectively to negative and positive confirmation processing, and none of the references cited teach such.

Applicants invention relates to a method and system for invoice authorization by the original requester (that is, individual employee) with invoices presented to the requester in a particularly useful and user friendly manner whether such invoices are received hard copy or by EDI. These concepts are explained in applicants' specification, for example, at page 16, line 20 to page 19, line 10.

Applicants invention relates to the process of enabling individuals who ordered the original goods or services for their own use to ensure that payment is made, or not made, based on their being able to view the original invoice images, and supports both EDI and manual processing.

Neither the workflow of Cukor nor of Maners nor of Virgin describe any end-user decision points for paying for goods received, particularly on the claimed point that such decision is made by the original end-user individual employee requester, as distinguished from accounts payable personnel, in accordance with the process set forth in the claims.

Virgin has been cited for teaching "approval rules logic that requires the approval of the individual that

created the original order." Applicants traverse on this critical point. Virgin refers to authorized approvers, but never specifies that such are the individuals entering the original invoice (ie, requisition) and that such individuals are the end users of the commodity or service requisitioned and invoiced.

Applicants whole process is structured to enable end-users who request a service or commodity to provide confirmation according to a specified approval process: either positive or negative confirmation. To enable end users to function in such a capacity, not being A/P or purchasing personnel and trained in the use of electronic or paper work flow executed by such personnel, applicants have provided a specific work flow that is designed for their use, and includes the steps set forth above with respect to claim 1.

Applicants traverse any suggestion of the Examiner that the combination of references teach the workflow presented in applicants claims. In making such a combination the Examiner is, in effect, using applicants own specification as a road map to collect teachings from the several cited references, and makes no reference to any teaching in any of the references suggesting such a combination.

Further, nowhere in that combination is there a teaching that both negative and positive confirmation processes are selectively implemented by an end user who

receives a commodity or service for which he/she is the original requester. The details of the claim set forth a workflow that is uniquely configured to the needs of such an individual for viewing original invoices, receiving e-mail instructions to execute a positive or negative confirmation process, and so forth.

Applicants request that the rejection of claims 1-7 and 9-17 under 35 U.S.C. 103 be reconsidered and withdrawn.

SUMMARY AND CONCLUSION

Applicants urge that the above amendments be entered and the case passed to issue with claims 1-7, and 9-17.


The Application is believed to be in condition for allowance and such action by the Examiner is urged. Should differences remain, however, which do not place one/more of the remaining claims in condition for allowance, the Examiner is requested to phone the undersigned at the number provided below for the purpose of providing constructive assistance and suggestions in accordance with M.P.E.P. Sections 707.02(j) and 707.03 in order that allowable claims

can be presented, thereby placing the Application in condition for allowance without further proceedings being necessary.

Sincerely,

T. A. Aber, et al.

By


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